

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Eighteenth Judicial District Court, County of Gallatin

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-16-072
-vs-)	
)	DECISION
KATLYN C. DEDYCKER,)	
)	
Defendant.)	

On January 4, 2017, the District Court sentenced the Defendant to the Montana State Women's Prison for a period of four (4) years, for the offense of Count I: Assault on a Peace Officer, a Felony, in violation of §45-5-210, MCA. The Court granted the Defendant 8 days credit for time served.

On April 7, 2017, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented. Jonathan Dedycker, the Defendant's husband, listened to the hearing via teleconference.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

During the hearing, it became apparent that the Division did not have all the pertinent documents in this case, specifically the Reasons for Sentence by Judge John Brown and the medical report by Dr. Ken Olson. Following the hearing, the necessary documents were provided to the Division and all three judges had an opportunity to review those documents. The Division met by teleconference on April 17, 2017 to discuss the additional documents and deliberated at that time for a final decision.

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 7th day of April, 2017 and by teleconference on April 17, 2017.

DATED this 26 day of April, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson



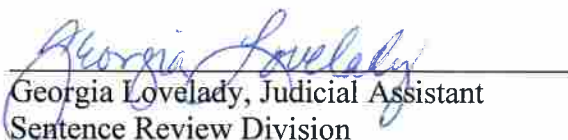
Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 27 day
of April, 2017, to:

Clerk of District Court (Original)
Katlyn C. Dedycker #2068388, Defendant (2)
Hon. John Brown
Peter Ohman, Defense Counsel
Chris Gregory, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division